

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation and Ordering Pacific Gas and Electric Company to Appear and Show Cause Why It Should not be Sanctioned for Violations of Article 8 and Rule 1.1 of the Rules of Practice and Procedure and Public Utilities Code Sections 1701.2 and 1701.3.

Investigation 15-11-015

ORDER EXTENDING STATUTORY DEADLINE**Summary**

This decision extends the statutory deadline in this proceeding to December 31, 2019.

1. Background

Public Utilities (Pub. Util.) Code § 1701.2(i) provides that adjudication cases must be resolved within 12 months of initiation unless the Commission makes findings why that deadline cannot be met and issues an order extending that deadline. In this proceeding, the original 12-month deadline for resolving this proceeding was November 18, 2016.

The Commission has extended the statutory deadline of this proceeding and the latest Decision (D.) 18-06-033, extended the statutory deadline to June 29, 2019. On April 26, 2018, with D.18-04-014, the Commission granted the Joint Motion of the City of San Bruno, the City of San Carlos, the Public Advocates Office, the Safety and Enforcement Division, The Utility Reform Network, and Pacific Gas and Electric Company (Joint Parties), and adopted the

Settlement Agreement the Joint Parties entered into and executed. D.18-04-014, Ordering Paragraph 3, also opened a second phase in the proceeding in order to determine if the e-mails that Pacific Gas and Electric Company (PG&E) disclosed on September 21, 2017, constituted new violations of the *ex parte* rules set forth in the Commission's Rules of Practice and Procedure.

On May 22, 2018, the assigned Administrative Law Judge (ALJ) issued a ruling that required the Joint Parties to meet and confer and to file a status report on June 15, 2018, regarding their efforts to reach a further settlement regarding the recently disclosed e-mails. The Joint Status Report was filed on June 15, 2018. On July 12, 2018 the assigned ALJ issued a ruling ordering the Joint Parties to file a Second Joint Status Report on July 31, 2018. The Second Joint Status Report was filed on July 31, 2018.

A prehearing conference (PHC) was held on March 15, 2019. On April 18, 2019, the assigned Commissioner issued the Phase II Scoping Memo and Ruling to determine the issues and schedule of Phase II of the proceeding. On June 20, 2019, the assigned Commissioner issue an Amended Phase II Scoping Memo and Ruling to include the 97 additional documents found entitled *Joint Evidentiary Record*. On July 26, 2019, the Joint Parties filed a Joint Motion for Adoption of Phase II Settlement Agreement.

There is good cause to extend the statutory deadline beyond the June 29, 2019 deadline to review the Phase II Settlement Agreement and to prepare a proposed decision for public review and comments. Therefore, an extension of the statutory deadline until December 31, 2019, is necessary.

2. Waiver of Comment Period

Pursuant to Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review

and comment of proposed decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, the otherwise applicable period for public review and comment on an extension order issued pursuant to § 1701.2(i) is being waived.

3. Assignment of Proceeding

President Marybel Batjer is the assigned Commissioner and Robert M. Mason III is the assigned ALJ and presiding officer in this proceeding.

Findings of Fact

1. The statutory deadline for resolving this adjudication proceeding was June 29, 2019.
2. On April 26, 2018, with D.18-04-014, the Commission granted the Joint Motion of the Joint Parties for the adoption of the settlement agreement.
3. D.18-04-014, Ordering Paragraph 3, also opened a second phase in the proceeding in order to determine if the e-mails that PG&E disclosed on September 21, 2017 constituted new violations of the *ex parte* rules set forth in the Commission's Rules of Practice and Procedure.
4. On May 22, 2018, the assigned ALJ issued a ruling that required the parties to meet and confer and to file a status report on June 15, 2018 regarding their efforts to reach a further settlement regarding the recently disclosed e-mails. The Joint Status Report was filed on June 15, 2018.
5. On July 12, 2018 the assigned ALJ issued a ruling ordering the Joint Parties to file a Joint Second Status Report on July 31, 2018. The Second Joint Status Report was filed on July 31, 2018.
6. A PHC was held on March 15, 2019.
7. On April 18, 2019, the assigned Commissioner issued the Phase II Scoping Memo and Ruling and on June 20, 2019, issued an Amended Phase II Scoping

Memo and Ruling to include the 97 additional documents found entitled Joint Evidentiary Record.

8. On July 26, 2019, the Joint Parties filed a Joint Motion for Adoption of Phase II Settlement Agreement.

9. An extension of the statutory deadline until December 31, 2019, is necessary to review the Phase II Settlement Agreement and to prepare a proposed decision for public review and comments.

Conclusion of Law

Pursuant to the Commission's authority under Pub. Util. Code § 1701.2(i) the statutory deadline should be extended until December 31, 2019.

IT IS ORDERED that the statutory deadline in this proceeding is extended until December 31, 2019.

This order is effective today.

Dated _____, at Los Angeles, California.